

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM OMAR MEDINA : CIVIL ACTION
v. : NO. 20-2426
ALFRED HALLMAN, et al. :

ORDER

AND NOW, this 29th day of May 2020, following our Order granting the incarcerated *pro se* Plaintiff leave to proceed *in forma pauperis* (ECF Doc. No. 7) consistent with our obligations under 28 U.S.C. § 1915(e)(2)(B)(ii) and having now carefully reviewed his *pro se* Complaint (ECF Doc. No. 2) with exhibits (ECF Doc. No. 6) and finding he fails to state a claim for cruel and unusual punishment or under the Fourth Amendment based upon verbal insults resulting in no physical touching or harm but granting him leave to timely allege facts to support such a claim or for other claims possibly referenced in his internal grievance through an amended Complaint, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We dismiss Plaintiff's Complaint (ECF Doc. No. 2) without prejudice to him filing on or before **July 6, 2020**, an amended Complaint consistent with the Law and his obligations under the Federal Rules of Civil Procedure if he wishes to proceed with one or more claims;
 2. The Clerk of Court shall not issue summons until further Order; and,
 3. Given the Clerk of Court's present inability to mail from our Courthouse given the Commonwealth and City stay-at-home Orders, we will separately mail this Order and accompanying Memorandum directly to the Plaintiff at his address on the Complaint as legal mail from our Chambers.

Mark C. Kearney
KEARNEY, J.